

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

NORTHWEST ADMINISTRATORS,
INC.,

Plaintiff,

v.

PEPSI-COLA SALES AND
DISTRIBUTION, INC., a Delaware
corporation,

Defendant.

NO. C21-00078-JLR

STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE

THE PARTIES above named, through their attorneys Russell J. Reid of Reid, McCarthy, Ballew & Leahy, L.L.P., attorneys for Plaintiff, and Molly Gabel of Seyfarth Shaw LLP, attorneys for Defendant, Pepsi-Cola Sales and Distribution, Inc., hereby stipulate that the above-referenced action should be dismissed, with prejudice, and with each party bearing its own attorneys' fees and costs. This Stipulation shall not foreclose Plaintiff or the Trust, based on res judicata principles or other legal principles, from collecting additional contributions, liquidated damages, interest and attorney's fees for the time period encompassed by this action, April 2019 through July 2019, if a future audit or some other source reveals that Defendant owes the Plaintiff additional

1 amounts for said period, or from collecting contributions, liquidated damages, interest,
2 attorney's fees and costs for any period other than April 2019 through July 2019.

3 DATED this 21st day of April, 2021.

4
5 REID, McCARTHY, BALLEW & LEAHY.
6 L.L.P.

SEYFARTH SHAW LLP

7 s/Russell J. Reid
8 Russell J. Reid, WSBA #2560
9 100 West Harrison Street, N. Tower, #300
10 Seattle WA 98119
11 Telephone: (206) 285-0464
12 Email: rjr@rmbllaw.com

s/Molly Gabel
Molly Gabel, WSBA #47023
999 Third Avenue, Ste 4700
Seattle WA 98104-4041
Telephone: (206) 946-4910
Email: MGabel@seyfarth.com

11 Attorney for Plaintiff

Attorney for Defendant

12
13 **ORDER OF DISMISSAL**

14
15 Based on the foregoing Stipulation of Plaintiff and Defendant,

16 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that this action shall
17 be and is hereby dismissed with prejudice and that each party shall bear its own
18 attorneys' fees and costs of suit. This Order shall not foreclose Plaintiff or the Trust,
19 based on res judicata principles or other legal principles, from collecting additional
20 contributions, liquidated damages, interest and attorneys fees for the time period
21 encompassed by this action, April 2019 through July 2019, if a future audit or some
22 other source reveals that Defendant owes the Plaintiff additional amounts for said
23 period, or from collecting contributions, liquidated damages, interest, attorney's fees
24 and costs for any period other than April 2019 through July 2019.

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26 STIPULATION AND ORDER FOR DISMISSAL
WITH PREJUDICE – C21-00078-JLR
Page 2 of 3

Reid, McCarthy, Ballew & Leahy, L.L.P.
ATTORNEYS AT LAW
100 WEST HARRISON STREET • NORTH TOWER, SUITE 300
SEATTLE, WASHINGTON 98119
TELEPHONE: (206) 285-0464 • FAX: (206) 285-8925

ORDER ENTERED this 27th day of April, 2021.


UNITED STATES DISTRICT COURT JUDGE

Submitted for Entry:

REID, McCARTHY, BALLEW & LEAHY,
L.L.P.

By s/Russell J. Reid

Russell J. Reid, WSBA #2560
100 West Harrison Street, N. Tower, #300
Seattle WA 98119
Telephone: (206) 285-0464
Email: rjr@rmbllaw.com
Attorney for Plaintiff